

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1244-01
Bill No.: HB 435
Subject: Courts
Type: Original
Date: February 18, 2013

Bill Summary: This proposal grants the authority to redraw the circuit and appellate judicial districts to the Supreme Court.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
General Revenue	(\$102,500)	(\$52,500)	\$0
Total Estimated Net Effect on General Revenue Fund	(\$102,500)	(\$52,500)	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☒ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator (CTS)** state the proposed legislation would provide by January 1, 2015 and January first every ten years thereafter, the geographical boundaries and territorial jurisdiction of the circuit and appellate courts shall be altered by the Supreme Court. Also, the Supreme Court shall establish rules and standards with respect thereto, as well, as the number of circuit and appellate districts in existence as of December 31, 2014 shall not be altered. CTS assumes the proposal would require the use of an additional Program Specialist III FTE (at \$50,088 per year, plus fringes).

CTS states the legislation also includes a judicial workload study as part of its criteria in determining judicial transfers. A judicial workload study would cost approximately \$150,000 as well as meeting costs of approximately \$5,000 to evaluate the study.

In summary, CTS assumes a cost to the General Revenue Fund of \$174,703 in FY 2014, \$136,373 in FY 2015 and \$84,711 in FY 2016.

Oversight assumes that since the review and alterations will only occur every ten years, CTS will not require an additional FTE to implement the various aspects of this proposal, and therefore, have not included the additional person in the fiscal note estimates.

Officials from the **Missouri State Employees' Retirement System (MOSERS)** state if enacted, this proposal could alter retirement benefits currently being provided to Juvenile Officers and juvenile court employees pursuant to Section 211.393, RSMo. To explain, if the Missouri Supreme Court would alter the circuits such that a circuit that is currently a multi-county circuit becomes a single county circuit, juvenile officers and juvenile court employees would cease being eligible to participate in MOSERS and instead would become county employees eligible for benefits from the county after the alteration becomes effective. In addition, there would also be budget considerations that would need to be addressed due to these state employees becoming county employees under this example.

Oversight assumes the Supreme Court would take MOSERS concerns under consideration when considering redrawing the circuit judicial circuits and therefore, will not reflect a direct fiscal impact of this bill on the retirement systems.

Officials from the **City of St. Louis** as well as the counties of **Boone, Clay, Greene, and Platte** counties did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
GENERAL REVENUE			
<u>Costs - CTS</u>			
Contracted judicial workload study	(\$100,000)	(\$50,000)	\$0
Travel for the committee	<u>(\$2,500)</u>	<u>(\$2,500)</u>	<u>\$0</u>
<u>Total Costs - CTS</u>	<u>(\$102,500)</u>	<u>(\$52,500)</u>	<u>\$0</u>
ESTIMATED NET EFFECT TO THE GENERAL REVENUE FUND	<u>(\$102,500)</u>	<u>(\$52,500)</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

By January 1, 2015, and every 10 years thereafter, this bill requires the geographical boundaries and territorial jurisdiction of the circuit and appellate courts to be altered by the Missouri Supreme Court as the administration of justice may require, subject to the requirements set forth in article V of the Missouri Constitution. The Supreme Court must establish rules and standards to implement these changes. The bill specifies the criteria the Supreme Court must use when redrawing the judicial boundaries.

The repeal of the current geographical boundaries and territorial jurisdiction of the judicial circuits and appellate courts becomes effective December 31, 2014. The total number of circuits and appellate districts in existence as of December 31, 2014, must not be altered, and any Supreme Court order creating or reducing the number of circuits or appellate districts must be null and void.

RS:LR:OD

FISCAL DESCRIPTION (continued)

The repeal and reenactment of the provisions relating to family courts is effective December 31, 2014.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator

Not Responding:

City of St. Louis

Boone County

Clay County

Greene County

Platte County



Ross Strope
Acting Director
February 18, 2013